

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 9063 - SB 9060

October 28, 2021

SUMMARY OF BILL: Prohibits an employer from mandating a COVID-19 vaccination as a condition of employment for any employee who has contracted and recovered from COVID-19.

Establishes that an employer who requires COVID-19 vaccination in order to be hired or to maintain employment, such employer is 100 percent liable for serious bodily injury sustained by any employee due to such vaccination. Additionally, if such employee dies due to such vaccination and the employee's life insurance policy refused to pay the death benefit due to a clause in the policy that excludes death cause by or due to experimental treatments or vaccines, then the employer is 100 percent liable to pay the full benefit to the beneficiary.

Exempts damages caused by or resulting from an immunization, vaccination, or injection for COVID-19 from the definition of "arising from COVID-19" under the Tennessee COVID-19 Recovery Act, effectively removing the requirement that a person proves gross negligence or willful misconduct by the defendant in order to prevail in a claim based on damages caused by or resulting from such an immunization, vaccination, or injection.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Based on information provided by the Bureau of Workers' Compensation, this legislation is not estimated to have any significant impact on total workers' compensation cases handled by the Bureau.
- There is currently no known department, agency, or entity within state government that currently requires its employees to submit to a COVID-19 vaccine; therefore, this legislation would have no significant impact on state government.
- Any impact resulting from this legislation will be borne by private parties to civil actions. The impact on courts' caseloads is estimated to be not significant. Therefore, enactment of this legislation will not result in a significant fiscal impact to state or local government.
- If the proposed legislation prohibits a state or local entity or private business from following any future federal vaccination mandate, federal funding could be jeopardized.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The script is cursive and fluid, with the first letters of each name being capitalized and prominent.

Krista Lee Carsner, Executive Director

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